UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

UNDER SEAL

CONSENT PRELIMINARY ORDER

OF FORFEITURE/

-v.-

MONEY JUDGMENT

ANGEL CURET,

16 Cr. 226 (PKC)

Defendant.

WHEREAS, on or about March 21, 2016, ANGEL CURET (the "defendant"), among others, was charged in a three-count Sealed Information, 16 Cr. 226 (PKC) (the "Information"), with conspiracy to defraud the United States with respect to claims, in violation of 18 U.S.C. § 286 (Count One); theft of federal funds, in violation of 18 U.S.C. §§ 641 and 2 (Count Two); and aggravated identity theft, in violation of 18 U.S.C. §§ 1028A(a)(1), 1028A(b), and 2 (Count Three);

WHEREAS, the Information included a forfeiture allegation, with respect to Count Two of the Information, seeking forfeiture to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), of any and all property, real or personal, which constitutes or is derived from proceeds traceable to the offense alleged in Count Two of the Information;

WHEREAS, on or about March 21, 2016, the defendant pled guilty to Counts One through Three of the Information, pursuant to a plea agreement with the Government, wherein the

defendant admitted the forfeiture allegation with respect to Count Two of the Information and agreed to forfeit, a sum of money in United States currency, representing the amount of proceeds the defendant derived from the offense charged in Count Two of the Information;

WHEREAS, the defendant consents to the entry of a money judgment in the amount of \$62,446.00 in United States currency, representing the amount of proceeds obtained as a result of the offense charged in Count Two of the Information;

United States of America, by its attorney Geoffrey S. Berman, United States Attorney, Assistant United States Attorney Andrew K. Chan, of counsel, and the defendant, and his counsel, Luis O. Diaz, Esq. that:

- 1. As a result of the offense charged in Count Two of the Information, to which the defendant pled guilty, a money judgment in the amount of \$62,446.00 in United States currency (the "Money Judgment") shall be entered against the defendant.
- 2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary Order of Forfeiture/Money Judgment, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the defendant, ANGEL CURET, and shall be deemed part of the sentence of the

defendant, and shall be included in the judgment of conviction therewith.

- 3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the United States Department of Treasury, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.
- 4. Upon execution of this Consent Preliminary Order of Forfeiture/Money Judgment, and pursuant to 21 U.S.C. § 853, the United States Department of Treasury, or its designee, shall be authorized to deposit the payments on the Money Judgment in the Treasury Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.
- 5. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary Order of Forfeiture/Money Judgment, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of

documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

- 6. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.
- 7. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander Wilson, Chief of the Money Laundering and Asset Forfeiture Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

[SPACE INTENTIONALLY LEFT BLANK]

8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

GEOFFREY S. BERMAN United States Attorney for the Southern District of New York

By:

am Char/DS

ANDREW K. CHAN
Assistant United States Attorney

One St. Andrew's Plaza New York, NY 10007 (212) 637-1072 1/21/2020

DATE

ANGEL CURET

Ву:

ANGEL CURET

By:

LUIS O. DIAZ, ESQ.

Attorney for Defendant

1-21-2020

DATE

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SO ORDERED:

HONORABLE P. KEVIN ZASTEL

UNITED STATES DISTRICT JUDGE

1-21-20

 DATE